



Appeal Decision

Site Visit made on 4 May 2021

by Graham Wyatt BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 June 2021

Appeal Ref: APP/N5090/W/20/3261084

Junction of Coppetts Road and A406, Friern Barnet, London N10 1JW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development)(England) Order 2015.
- The appeal is made by MBNL against the decision of London Borough of Barnet.
- The application Ref 20/3022/PNT, dated 1 July 2020, was refused by notice dated 13 August 2020.
- The development proposed is described as a “proposed telecommunications upgrade. Proposed 20.0m AGL Phase 7 monopole c/w wrapround cabinet at base and associated ancillary works”.

Decision

1. The appeal is allowed and permission is granted for the proposed telecommunications upgrade. Proposed 20.0m AGL Phase 7 monopole c/w wrapround cabinet at base and associated ancillary works at the junction of Coppetts Road and A406, Friern Barnet, London N10 1JW in accordance with the terms of the application, Ref 20/3022/PNT, dated 1 July 2020, subject to the following conditions:
 - 1) The development hereby permitted must be begun within three years from the date of this permission.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plan No's:
Prefix:793587_BNT034_70526_N0123_M001
Suffix: 002A Site Location Plan, 003A Access Plan, 005A Cherry Picker/Crane Location(s), 100A Existing Site Plan, 150A Existing Elevation A
215A Maximum Configuration Site Plan, 265A Maximum Configuration Elevation, 304A Max Configuration Antenna Schedule & Line Configuration and 305A Equipment Schedules & Support Structure Details
 - 3) Before the development hereby permitted is brought into use, details of the colour of the mast and equipment cabinets shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented and retained in accordance with such details as approved.

Main Issue

2. The appeal concerns a proposed telecommunications development that was refused prior approval by the Council under the terms of Schedule 2, Part 16 of

the Town and Country Planning (General Permitted Development)(England) Order 2015 (the GPDO). Within certain limits the GPDO grants permission for the development of telecommunications equipment subject to a prior approval procedure. The GPDO makes it clear that the relevant issues to consider when assessing applications of this type are the siting and appearance of the proposed development, taking into account any representations received. My determination of this appeal has been made on the same basis.

3. The principle of development is established by the GPDO and the provisions of Schedule 2, Part 16, Class A of the GPDO do not require regard be had to the development plan. Thus, I have had regard to the policies of the development plan and the National Planning Policy Framework (the Framework) only in so far as they are a material consideration relevant to matters of appearance and siting.

Reasons

4. The appeal site is within an urban area and forms a traffic island located on Bobby Moore Way, which is a slip road that allows access onto and from the A406. The traffic island is triangular in shape and contains a number of existing vertical structures such as street lighting, traffic signs and an existing telecommunications mast with equipment cabins. At this location, the A406 has three lanes east and west bound and is illuminated by street lighting on either side of the carriageways and within its central reservation. To the south of the appeal site along Coppetts Road the area is more verdant, with trees clearly visible bordering a large allotment area and a cemetery which adjoin the A406, with residential properties further beyond.
5. The proposal seeks to remove the existing telecommunications monopole at the site and to erect a 20m monopole with a wraparound cabinet at its base, along with four other equipment cabinets and the retention of an existing cabinet. A new crash barrier would also be installed on the northern part of the site, facing onto Bobby Moore Way.
6. The vertical emphasis of existing street furniture and mature trees are evident within this street scene, albeit they are of a lower level than the appeal proposal. This part of the A406 has a straight alignment which emphasises the visual rhythm of these street features which arises from their placement within the road. The trees behind the site would provide a transition between the height of lower surrounding street features and the proposed monopole. Moreover, their canopies would soften its presence and therefore impact upon an approach in a southerly direction.
7. When exiting Coppetts Road to join the A406, the view is decidedly urban with an array of vertical structures and large commercial buildings visible along the vista. I am satisfied that the proposal would be seen as part of the existing vertical structures that are clearly visible within the street scene and, coupled with its relatively simple linear design, it would not be unduly intrusive within its surrounding context from either longer distance or more immediate vantage points.
8. From the evidence before me, I have no reason to doubt that the proposed monopole would be the minimum height required for adequate network coverage in this instance. Furthermore, the submitted evidence clearly demonstrates that as a 5G installation that is to be shared by other operators,

there are technical constraints which determine the siting and appearance of the appeal proposal.

9. In addition, the submitted evidence does not indicate that the appeal proposal would affect any designations which would mean that the appeal site and its context would be overly visually sensitive to this change. For these reasons, although the appeal proposal would change the aspect of the area, and given its largely urban setting adjoining the A406, this would not be of a nature or to a level which would cause unacceptable visual consequences.
10. Moreover, Paragraph 112 of the Framework states that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being and that decisions should support the expansion of electronic communications networks, including mobile technology such as 5G. Paragraph 116 of the Framework states that the need for electronic communication systems should not be questioned. The appellant has demonstrated the need for the development and that there are no other realistic options to deliver the installation. I therefore accord the public benefits of the proposal and that the monopole will be used by another operator, substantial weight.
11. For all of these reasons, the appeal proposal would not impose harm on the character and appearance of the area, with particular regard to its siting and appearance. In the absence of harm, the appeal proposal does not conflict with Policies DM01 and DM18 of the London Borough of Barnet Development Plan Document 2012, insofar as they are relevant to the development before me.

Conditions

12. The council has suggested a number of conditions that I have considered in accordance with the Framework and the national Planning Practice Guidance. In addition to the standard time limit condition, in the interests of certainty, a condition specifying the approved plans is required. In the interests of the character and appearance of the area, a condition requiring the agreement of the treatments and finishes of the equipment is imposed.

Conclusion

13. For the reasons stated above, the proposed development would accord with the relevant policies of the development plan. It would also provide benefits to the national telecommunications network. No other considerations weigh against the proposal. Thus, the appeal is allowed.

Graham Wyatt

INSPECTOR